

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF NEW YORK

-----X
TAP ELECTRICAL CONTRACTING SERVICE,
INC.,

Plaintiff,

-against-

E.E. CRUZ & CO., INC.,

Defendant.

-----X
E.E. CRUZ & CO., INC.,

Third-Party Plaintiff,

-against-

URS CORPORATION (f/k/a URS Consultants, Inc
and/or URS Corporation Group Consultants) and
MALCOLM PIRNIE, INC.,

Third-Party Defendants.
-----X

Civil Case No.: 07-CV-7770 (GD)

**ANSWER TO
COUNTERCLAIM**

Defendant/ Third-Party Plaintiff E.E. Cruz & Company Inc. ("E.E. CRUZ") by its attorneys Lewis
Brisbois Bisgaard & Smith, LLP, as and for an Answer to the counterclaim asserted by third-party
defendant Malcolm Pirnie, Inc., contained to its Answer to the Third-Party Complaint, dated December 27,
2007, as against E.E. CRUZ , alleges upon information and belief as follows:


1. Denies each and every allegation contained in the counterclaim asserted against E.E. CRUZ as
set forth in paragraphs "33" and "34" of the Third-Party Answer and respectfully refers all questions of law
to this Honorable Court for its determination.

WHEREFORE, the answering Defendant/Third-party plaintiff E.E. CRUZ & CO., INC., demands judgment dismissing the cross-claim asserted by third-party defendant Malcolm Pirnie, together with costs, disbursements and counsel fees incurred in the defense of this action and such other and further and different relief as this Court may deem just and proper.

Dated: New York, New York
January 9, 2007

Yours, etc.

LEWIS BRISBOIS BISGAARD & SMITH LLP

By: 
Georgia S. Alikakos, Esq. (GSA-7493)
Attorneys for Defendants E.E. CRUZ & CO., INC.,
199 Water Street – Suite 2500
New York, New York 10038
(212) 232-1300

To:

Thomas Aljian, Esq. (TA-6464)
Podvey, Meanor, Catenacci, Hildner,
Cocoziello & Chattman
Attorney for Plaintiff
TAP Electrical Contracting Service, Inc.
One Riverfront Plaza, 8th Floor
Newark, New Jersey 07102
(973) 623-9131 (fax)

Winston Smith, P.E., P.C.
295 5th Avenue
New York, New York 10001

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URS Corporation
200 Park Avenue
New York, New York 10166

Mike Heran, Esq.
Milber, Makris, Plousadis & Seiden
Attorneys for Third-party Defendant
Malcolm Pirnie, Inc.
3 Barker Avenue
White Plains, New York 10601

AFFIDAVIT OF SERVICE

STATE OF NEW YORK)
) ss:
COUNTY OF KINGS)

Toni Serrant, being duly sworn, deposes and says:

I am not a party to this action, I am over eighteen (18) years of age and I reside in the State of New York, County of Kings.

That on **Wednesday, January 9, 2008**, I served a copy of **ANSWER TO COUNTERCLAIM** upon the following:

Thomas Aljian, Esq. (TA-6464)
Podvey, Meanor, Catenacci, Hildner,
Cocoziello & Chattman
Attorney for Plaintiff
TAP Electrical Contracting Service, Inc.
One Riverfront Plaza, 8th Floor
Newark, New Jersey 07102
(973) 623-9131 (fax)

Winston Smith, P.E., P.C.
295 5th Avenue
New York, New York 10001

Kenneth O'Reilly
Winston & Strawn, LLP
Attorneys for Third-party Defendant
URS Corporation
200 Park Avenue
New York, New York 10166

Mike Heran, Esq.
Milber, Makris, Plousadis & Seiden
Attorneys for Third-party Defendant
Malcolm Pirnie, Inc.
3 Barker Avenue
White Plains, New York 10601

by mailing same in a sealed envelope, via **U.S. Mail** within the State of New York.


Toni Serrant

Sworn to before me this
9th day of January, 2008.


- Notary Public -

DANIELLE SHAW
NOTARY PUBLIC, State of New York
No. 01SH6151041
Qualified in Kings County
Commission Expires 2/7/2010